

DISPOSITION: 3-23-62. Default—12 bottles delivered to the Food and Drug Administration and the remainder destroyed.

234. Hair dressing. (F.D.C. No. 47136. S. Nos. 39-515 T, 39-517 T.)

QUANTITY: 426 cases, each containing 12 15-oz. btls., at Westbury, N.Y.

SHIPPED: 11-22-61, from Philadelphia, Pa., by Francis Anthony Agresti, t/a Robin Sales Co., New York, N.Y.; 12-5-61, by Zelart Drug Co., Westbury, N.Y., to Jersey City, N.J., and subsequently returned to Westbury, N.Y.

RESULTS OF INVESTIGATION: The article was a counterfeit of "Vitalis With V7," bearing a counterfeit "Vitalis With V7" label. Analysis showed that the article contained the coal-tar colors D&C Red No. 19 and FD&C Yellow No. 5, which are not contained in the authentic "Vitalis."

LIBELED: 2-27-62, E. Dist. N.Y.

CHARGE: 602(a)—when shipped, the bottle label of the article was false and misleading in its entirety as applied to a product which purported and was represented to be "Vitalis With V7" manufactured by Bristol-Myers Co., New York, N.Y., but which was a counterfeit of "Vitalis With V7" bearing counterfeit "Vitalis With V7" labels.

DISPOSITION: 3-30-62. Default—destruction.

235. Hair dressing. (F.D.C. No. 47195. S. No. 42-892 T.)

QUANTITY: 132 btls. at Philadelphia, Pa.

SHIPPED: The raw materials of the article had been shipped from South Charleston, W. Va., and New York, N.Y., on unknown dates.

RESULTS OF INVESTIGATION: The article was a counterfeit of "Vitalis With V7," bearing a counterfeit "Vitalis With V7" label. Analysis showed that the article contained the coal-tar colors D&C Red No. 19 and FD&C Yellow No. 5, which are not contained in the authentic "Vitalis." The article had been manufactured and bottled by Emil Laboratories, Philadelphia, Pa., from raw materials shipped in interstate commerce on order of Francis Anthony Agresti, t/a Robin Sales Co., New York, N.Y.

LIBELED: 3-5-62, E. Dist. Pa.

CHARGE: 602(a)—while held for sale, the bottle label of the article was false and misleading in its entirety as applied to a product which purported and was represented to be "Vitalis With V7" manufactured by Bristol-Myers Co., New York, N.Y., but which was a counterfeit of "Vitalis With V7," bearing counterfeit "Vitalis With V7" labels.

DISPOSITION: 4-4-62. Default—destruction.

236. Hair dressing (3 seizure actions). (F.D.C. Nos. 47134/5, 47141. S. Nos. 55-801/2 T; 39-516 T; 55-803 T.)

QUANTITY: 334 cases, each containing 12 15-oz. btls., at New York and Brooklyn, N.Y., and Clifton, N.J.

SHIPPED: Between 11-24-61 and 1-4-62, from Philadelphia, Pa., by Francis Anthony Agresti, t/a Robin Sales Co., New York, N.Y.

RESULTS OF INVESTIGATION: The article was a counterfeit of "Vitalis With V7," bearing a counterfeit "Vitalis With V7" label. Analysis showed that the article contained a coal-tar color, namely, FD&C Yellow No. 5, which was not contained in the authentic "Vitalis With V7." The article had been manufactured to the order of the shipper.